



PUBLIC NOTICE

File # NR18MS.006

Pursuant to Chapter 0400-40-07 of the Department's rules, the proposed activity described below has been submitted for approval under an Aquatic Resource Alteration Permit (ARAP) and §401 Water Quality Certification. This notice is intended to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. No decision has been made whether to issue or deny this application.

PERMIT COORDINATOR

Dan Murray
865-594-5549
Dan.murray@tn.gov

APPLICANT

Mr. Ronald N. Helton, Vice President/Attorney-In-Fact
Kopper Glo Mining, LLC
P.O. Box 203
Clairfield, TN 37715

LOCATION

Westbourne, TN
Latitude 36.49389, Longitude -84.02694

PROJECT DESCRIPTION/PURPOSE

Kopper Glo Mining, LLC proposes to continue monitoring fourteen features converted to approximately 5.2 acres of wetlands developed as mitigation for 0.5 acres of wetlands alteration which occurred during the surface mining of the Davis Creek Area 4 mine. The mine has been reclaimed however monitoring each feature must continue for five years or until it is demonstrated that mitigation goals have been met.

POINTS OF IMPACT

Fourteen constructed wetland features in the Davis Creek watershed.

WATERSHED/WATERBODY DESCRIPTION: The affected waters are in the Clear Fork of the Cumberland River watershed (HUC 05130101). For more information on this or any Tennessee watershed, please visit our [TN Basins webpage](#).

Ecoregion

69E Cumberland Mountain Thrust Block

Stream Name / ID:

Waterbody Segment ID	Waterbody Segment Name Miles/Acres Impaired	Causes	Sources
TN05130101016_0200	Davis Creek/ 20.53	Escherichia coli	On-site Treatment Systems (Septic Systems and Similar Decentralized Systems)
TN05130101016_0210	Hogcamp Branch/ 3.34	Sedimentation/Siltation	Impacts from Abandoned Mine Lands (Inactive)

To view the proposed location of these impacts and the watershed condition visit <http://tdeconline.tn.gov/dwr/> and search the file/permit number listed in the title of this Public Notice.

DETERMINATIONS

In Accordance with the Tennessee Antidegradation Statement (*Rule 0400-40-03-.06*), the Division has made a preliminary determination that the proposed activities will not result in greater than *de minimis* degradation to water quality.

FACTORS CONSIDERED

In deciding whether to issue or deny a permit, the Division will consider all comments of record and the requirements of applicable federal and state laws. In making this decision, a determination will be made regarding the lost value of the resource compared to the value of any proposed mitigation. The Division shall consider practicable alternatives to the alteration. The Division shall also consider loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impact to unique, high quality, or impaired waters.

HOW TO COMMENT

Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within THIRTY (30) DAYS of the date that this notice is posted. Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number should be referenced. Send all written comments to the Division's address listed below and to the attention of the permit coordinator. You may also comment via email to TNDWR-MINING.E-NOTIFY@TN.GOV. After the Division makes a final permit decision, a permit appeal may be filed by the applicant or by any person who participated in the public comment period whose appeal is based on comments given to the Division in writing during the public comment period or in testimony at a formal public hearing.

PUBLIC HEARING

Interested persons may request in writing that the Division hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that a hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the Division will hold a public hearing. Send all public hearing requests to the Division's address listed under File Review or via e-mail at TNDWR-MINING.E-NOTIFY@TN.GOV to the attention of the permit coordinator listed on page 1.

FILE REVIEW

Copies of the permit application, supporting documentation including detailed plans and maps are available for review on the internet at the Division's [Water Resources Permit Data Viewer](#). The file may be viewed in person at the Division's address (listed below) for review and/or copying.

Kara Blevins (865) 594-5460
Tennessee Department of Environment & Conservation
Division of Water Resources - Mining Section
3711 Middlebrook Pike
Knoxville, TN 37921-6538

